



Attorney's Docket No: cardiobeat-3
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
George McBride, et al :
Filed: 03/27/2000 :Examiner:SHABANA QURESHI
Title: Internet Device Operation for Medical Testing : Art Unit 2155
Serial No.: 09/535,888 :

Mail Station: Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT

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This is in response to the Office action dated FEBRUARY 12, 2004.

REMARKS

Claims 1 through 12 are in the application as filed.

Claims 1-12 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent 6,264,614 (Albert et al) in view of U.S. Patent 6,602,469 (Maus et al).

The Examiner has noted that the application contains informal drawings. Upon an indication of allowable subject matter, Applicant will submit formal drawings.

U.S. Patent 6, 264,614 has a filing date of August 31 , 1999. U.S. Patent 6,602,469 has a filing date of November 8, 1999.

Filed herewith are declarations under 37 C.F.R. 131 from each of the inventors, as well as by the undersigned attorney. The declarations show that Applicant's invention was conceived at least as early as July 9, 1999 which is prior to the filing date of U.S. Patent 6,264,614 (Albert et al) and prior to the filing date of US Patent 6,602,469 (Maus et al).